



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP AF

In re Patent Application of

Bruno Meyer

Application No.: 10/804,154

Filing Date: March 19, 2004

Title: RAISING WHEEL CHAIR

Group Art Unit: 3618

Examiner: Hau Van Phan

Confirmation No.: 6405

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Notice of Appeal

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____

_____ on _____
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	14	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	2	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					\$ 0.00
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

[Signature]

Reg. No. 48,360

By _____

Patrick C. Keane

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Date: March 17, 2005

In re Patent Application of

Application No.: 10/804,154

Filed: March 19, 2004

For: RAISING WHEEL CHAIR

MAIL STOP AF

Group Art Unit: 3618

Examiner: Hau Van Phan

Confirmation No.: 6405

Commissioner for Patents -
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action dated December 17, 2004, reconsideration and allowance of the present application are respectfully requested. Claims 1-14 remain pending in the application.

In numbered paragraph 3 of the final Office Action, independent claims 1 and 14, along with various dependent claims, are rejected as being anticipated by U.S. Patent No. 4,456,086 (Wier et al.). For example, the Office Action state at paragraph 3 that the Wier et al. patent discloses "an integrated wheelchair comprising a wheel frame (84), a raising frame (34) and a lifting device (68) for adjusting a height level of the raising frame both in sitting and a in standing position." This rejection is respectfully traversed because a lifting device, such as the exemplary lifting device 29 of the Applicant's Fig. 4, can lift **both** the posture **and** the elevation of a person supported in the raising wheel chair by moving a raising frame **both** upward and forward.